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18 Attorneys for Plaintiffs
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19 REED, and COASTAL PROTECTION
RANGERS, INC.
20

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
23

24 CORY SPENCER, an individual;
25 DIANA MILENA REED, an
individual; and COASTAL
26 PROTECTION RANGERS, INC., a
27 California non-profit public benefit
corporation,
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF CHRIS
CLAYPOOL IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. S. James Otero
Date: February 21, 2017

1 Plaintiffs,

2 v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
6 not limited to SANG LEE, BRANT
7 BLAKEMAN, ALAN JOHNSTON
8 AKA JALIAN JOHNSTON,
9 MICHAEL RAE PAPAYANS,
10 ANGELO FERRARA, FRANK
11 FERRARA, CHARLIE FERRARA,
12 and N. F.; CITY OF PALOS
13 VERDES ESTATES; CHIEF OF
14 POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,

17 Defendants.

Time: 10:00 a.m.
Crtrm.:10C

Complaint Filed: March 29, 2016
Trial Date: November 7, 2017

18 I, Chris Claypool, declare as follows:

19 1. I am over the age of 18 and have personal knowledge of the
20 matters stated in this declaration and, if called as a witness, could and would
21 testify competently as to its contents.

22 2. I recently moved to Marina Del Rey, California. I surf two to three
23 times per week, mostly at a beach called El Porto in Manhattan Beach.

24 3. I learned to surf in Torrance, California. I graduated from South
25 High School in Torrance in 1997. Growing up, I primarily surfed the avenues
26 in Redondo Beach, often with my older brother Ken. My brother and I always
27 wanted to surf Palos Verdes. We wanted to surf a spot called Lunada Bay,
28 but everyone knew not to go there because of the localism. I went to high
school with John Hagins who, along with his uncle and several others, were
assaulted at Lunada Bay by Peter McCullom. I remember watching the
incident on the news. I also remember an incident where a teacher tried to

1 surf Lunada Bay and was beaten up by the locals – supposedly he suffered
2 a broken pelvis. The rumors were that the Bay Boys knew all the police.

3 4. After high school, I started working for my brother installing tile.
4 Many of the job sites were in Palos Verdes, and we would check out the surf
5 at Lunada Bay and other spots. In 2011, I stopped working for my brother
6 and started school for audio engineering. I have been employed an audio
7 professional since 2007. I have worked for major recording artists such as
8 John Mayer, Lady Gaga, Motor Head, Billy Gibbens and numerous other
9 major acts.

10 5. In 2014 my brother told me about a guy named Chris Taloa who
11 was involved in an effort to end localism at Lunada Bay. He was using social
12 media to organize large surfing groups to plan trips to Lunada Bay. There
13 was a Facebook page called Aloha Point where people were could post
14 information about Lunada Bay.

15 6. On March 11, 2014, my brother Ken and a friend of his named
16 Tom Wolley surfed Lunada Bay. My brother told me that he had been
17 hassled, but was still excited about the experience. He talked about one
18 wave that he caught and wanted to surf Lunada Bay again with me. He was
19 hoping that the Aloha Point movement could make that possible. In the
20 months that followed, my brother became more determined to fulfill his
21 dream of surfing Lunada Bay again.

22 7. In January 2015, my brother, a guy named Jordan Wright and I
23 decided to surf Lunada Bay. We agreed to meet at Haggerty's (a spot north
24 of Lunada Bay). This was the first time I met Jordan. The plan was to have a
25 group of approximately ten people for safety reasons, but only the three of us
26 showed up. We figured the others were afraid which is, of course is
27 understandable. We followed Jordan to Lunada Bay and parked on a street
28 approximately ½ mile away from the trail so our cars would not be noticed.

1 We got our gear together and headed down the Southern trail.

2 8. My brother informed me that the Southern trail provides an
3 easier to access the beach. He had an incident going down the more
4 dangerous goat trail. Our strategy was not to respond or engage in any way
5 to the negative attacks. No acknowledgement whatsoever. The waves were
6 good that morning, around 12 to 15 foot faces. There were only five locals in
7 the water and more than enough waves for everyone.

8 9. We made it to the bottom of the trail at 5:00 am. We changed
9 into our wetsuits and paddled out across the bay. As we approached the
10 lineup, a Bay Boy said "Don't you think you should leave? There are not
11 enough waves for all of us." Jordan was wearing a helmet and the same Bay
12 Boy looked at him and said "You look like you are ready to surf Waima Bay.
13 You kook!" We were then approached by Brant Blakeman who was yelling
14 "Try and catch a wave and see what happens. There is no fucking way you
15 are getting a wave. Just go in. Just go. You better not cut me off." Blakeman
16 was riding a green kneeboard.

17 10. Blakeman looked possessed or possibly on drugs. His behavior
18 got more bizarre throughout the morning. He seemed to be paddling for
19 every wave that he could physically push himself into, perhaps to make a
20 point, but he was wiping out a lot and falling down the face and tumbling
21 across the rock reef. Blakeman looked dangerous to himself. When
22 Blakeman would actually catch and ride wave in, he would paddle back to
23 where my brother and I were sitting, and continue his insane rant. On one
24 occasion, Blakeman came less than 12 inches from my ear and was
25 screaming. It was so loud, I had to put my fingers in my ear to protect them
26 from being damaged. I am a sound engineer and to put this in perspective, a
27 rock concert creates about 120 decibels of noise - this was louder; a jet
28 engine create about 150 decibels.

1 11. At one point Blakeman caught a wave and drew a line aiming
2 right at me. Another Bay Boy tried the same thing and said “mother fucker”
3 as he narrowly missed my head. I watched as Blakeman intentionally
4 dropped in on Jordan at least twice. It seemed obvious to me that they were
5 jealous of his superior surfing ability and wanted to make sure none of us
6 were having fun. Because this was getting dangerous, we decided to leave.

7 12. When we got out of water, we saw people gathering on top of the
8 cliff. Jordan remained in the water. One person was videotaping us from the
9 top of the cliff; it was clear to me that he was doing this to try and intimidate
10 us. The people were watching them from the cliff. I later learned that Jordan
11 broke his board on one of the waves that he was dropped in on.

12 13. Having watched the localism issue over the years, I am
13 extremely disappointed in the way the City of Palos Verdes Estates and the
14 Police have handled it. Until just recently, City officials have publicly stated
15 that the Bay Boys and localism were urban legend. I would like to be able to
16 visit Lunada Bay to surf without fear of physical and verbal attack or the
17 hassle of dealing with the Bay Boy bullies. I would like to be able to visit
18 Lunada Bay to surf without fear of having my car vandalized. I want the Bay
19 Boys and other locals to be barred from using this beach for sufficient time
20 to change attitudes, and to give access to the beach back to the public. I
21 want the City of Palos Verdes Estates to enforce its ordinances fairly and for
22 it to provide signage so people will know Lunada Bay is a public beach. I
23 want the City of Palos Verdes Estates to improve amenities in a fashion that
24 makes it safer, provides improved access to all beachgoers, and is both
25 consistent with this rural spot, the California Coastal Act and state and
26 federal law. For example, access trails to the shoreline should be clearly

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28 ///

1 marked to make access safer. I want Palos Verdes Estates police to be
2 available to help when people are unlawfully excluded. In short, I want to be
3 able to visit Lunada Bay without being harassed. And if I am harassed, I
4 want the City of Palos Verdes Estates police to take my complaints
5 seriously.

6
7 I declare under penalty of perjury under the laws of the United States
8 of America that the foregoing is true and correct.

9 Executed in MARINA DEL REY, California on December 29,
10 2016.

11 
12 CHRIS CLAYPOOL